

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

JEROME ELLIS,

Plaintiff,

VS.

DARRELL HART, Warden, et al.,

Defendants.

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CIVIL ACTION FILE NO.
7: 07-CV-11 (HL)

RECOMMENDATION

Presently pending in this *pro se* prisoner 42 U.S.C. § 1983 action is plaintiff's motion for demand of judgment (doc. 28).

In this motion, plaintiff apparently is demanding judgment in the amount of \$11,000,000.00 against defendants, and accompanies his motion with an affidavit, basically swearing that everything he states in his complaint is true. If this is a motion for summary judgment, it is premature, as defendants had not filed an answer at the time this motion was filed. Furthermore, as a motion for summary judgment, it does not comply with either the Local Rules or the Federal Rules of Civil Procedure in either content or form. Consequently, it is the RECOMMENDATION of the undersigned that this motion be **DENIED**.

Pursuant to 28 U.S.C. § 636(b)(1), the parties may file written objections to this recommendation with the Honorable Hugh Lawson, United States District Judge, WITHIN TEN (10) DAYS of receipt thereof.

SO RECOMMENDED, this 18th day of January, 2008.

//S Richard L. Hodge
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE